

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Noel Velasquez-Basurto

Case No. 25-MJ-464

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 19, 2025 in the county of Montgomery in the  
Eastern District of Pennsylvania, the defendant(s) violated:

*Code Section*

8 U.S.C. Section 1326(a)

*Offense Description*

Noel Velasquez-Basurto, an alien, a native and citizen of Mexico, who had previously been deported from the United States on or about October 13, 2013 and January 16, 2014, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General or his successor, the Secretary of the Department of Homeland Security, for permission to reapply for admission, and without receiving in response the express consent to reapply for admission, in violation of 8 U.S.C. Section 1326(a).

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

/s/ Alexander E. Pratt

*Complainant's signature*

Alexander E. Pratt, Deportation Officer, ICE

*Printed name and title*

Sworn to me telephonically in accordance with Fed. R. Crim. P. 41.

Date: \_\_\_\_\_

Scott W.  
Reid

Digitally signed by  
 Scott W. Reid  
 Date: 2025.03.06  
 12:29:09 -05'00'

*Judge's signature*City and state: Philadelphia, Pennsylvania

Honorable Scott W. Reid, U.S. Magistrate Judge

*Printed name and title*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**AFFIDAVIT**

1. I, Alexander E. Pratt, am a Deportation Officer at U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). I have served as a Deportation Officer with ICE since June 30, 2024. As a Deportation Officer, I conduct investigations related to violations of the Immigration and Nationality Act, specifically foreign-born nationals who have been deported from the United States and subsequently re-entered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations, Philadelphia, Pennsylvania Field Office and my duties include investigating violations of Title 8 of the United States Code (“U.S.C”) to include violations of immigration offenses. Prior to my tenure as a Deportation Officer, I served as a police officer in the Commonwealth of Pennsylvania, serving Upper Dublin Township from 2019 to 2024 and Lower Merion Township from 2017 to 2019, where I conducted investigations related to Pennsylvania Title 18 and Title 75.

2. I have prepared this affidavit in support of a criminal complaint against Noel VELASQUEZ-Basurto, because there is probable cause to believe VELASQUEZ-Basurto, an alien, that is, an individual who is not a United States citizen or national, re-entered the United States after removal, in violation of 8 U.S.C. § 1326(a).

3. On February 19, 2025, ICE, with our law enforcement partners, conducted a targeted enforcement operation for another known criminal alien in the areas of 917 Haws Lane, 653 Stanbridge Street and the intersection of Haws Lane and West Main Street in Norristown, Pennsylvania. At approximately 7:20 a.m., I observed a black 2004 Ford F-250 bearing

Pennsylvania license plate ZRE-0661 - the vehicle known to be operated by the target<sup>1</sup> - traveling eastbound on West Main Street at Haws Lane. I conducted a vehicle stop in the parking lot of 1304 Conshohocken Road in Conshohocken, Pennsylvania. During the stop, the operator (later identified as the initial target) reversed his truck toward the hood of my vehicle. The operator then attempted to drive forward but was blocked by another agent's vehicle. As agents and I approached the vehicle, the operator refused to put the vehicle in park, turn off the vehicle and/or lower the windows. I observed the operator and another individual in the passenger seat reaching for the center console, under the seat of the vehicle, and into their pockets. Based on the occupants' furtive movements and refusal to follow commands, both occupants were removed from the vehicle and placed in handcuffs. Based on my training and experience, I know that furtive movement in car compartments often indicates an attempt to conceal a weapon.

4. The passenger of the vehicle provided a Mexican passport and was identified as Noel VELASQUEZ-Basurto. I asked VELASQUEZ-Basurto if he had any weapons and he responded that he had a knife in his right rear pants pocket. I subsequently recovered a small pocketknife from him. Law enforcement records checks showed VELASQUEZ-Basurto to have a final order of removal. Subsequently, VELASQUEZ-Basurto was arrested administratively by ICE officers. The operator of the vehicle was identified to be the initial target and was also arrested administratively by ICE officers.

5. Based on my training and experience, I know that any time a police department or other law enforcement agency runs the fingerprints of any alien who has previously been encountered by ICE or another immigration agency, ICE receives electronic notification of this

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<sup>1</sup> On February 7, 2025, the target of the enforcement operation was arrested by the Bridgeport Borough Police Department operating that vehicle. Using Automatic License Plate Readers (ALPRs), ICE agents observed that vehicle at the intersection of Haws Lane and West Main Street in Norristown almost every day between February 7 – February 19, 2025.

fact and any match to the alien's known fingerprint identification number. On February 19, 2025, I conducted a check in the National Crime Information Center ("NCIC") database for VELASQUEZ-Basurto's criminal history, as well as his immigration history. Under the FBI# 756289WD0, I discovered that VELASQUEZ-Basurto had previous encounters with United States Border Patrol ("USBP"). Additionally, VELASQUEZ-Basurto was fingerprinted during processing on the administrative arrest at our headquarters and those fingerprints further confirmed his identity and his illegal re-entry status in the United States. Further checks in the Enforcement Alien Removal Module ("EARM") database were conducted for VELASQUEZ-Basurto's immigration history in the United States. I found that VELASQUEZ-Basurto had been arrested by USBP near Nogales, Arizona on October 10, 2013. USBP determined that VELASQUEZ-Basurto was a native and citizen of Mexico and unlawfully present in the United States. On October 13, 2013, VELASQUEZ-Basurto was served with a Form I-860, Notice and Order of Expedited Removal. He was removed from the United States on that same date via the Del Rio, Texas Port of Entry across the border into Acuna, Mexico.

6. On October 29, 2013, VELASQUEZ-Basurto was arrested by USBP near Douglas, Arizona and served a Reinstatement of Prior Removal Order pursuant to Section 241(a)(5) of the Immigration and Nationality Act. VELASQUEZ-Basurto was removed from the United States on January 16, 2014, via air travel from El Paso, Texas to Mexico City, Mexico. A Form I-205, Warrant of Deportation/Removal, was executed by immigration officials bearing VELASQUEZ-Basurto's photograph, signature and fingerprint and the signatures of the immigration officials who witnessed his removal.

7. Based on my training and experience, I know that ICE maintains a file on all aliens encountered by ICE. This file, known as the Alien File ("A File"), contains documentation

relating to the alien, including his/her photograph, warrants of deportation, fingerprints, documents reflecting criminal history, documents reflecting the country of citizenship, and other documents. Each alien is assigned an identification number, referred to as the “Alien Number.” A search of ICE databases revealed that Noel VELASQUEZ-Basurto has been assigned Alien Number 206 085 268.

8. On March 4, 2025, based on my review of DHS’s electronic databases I have made the following conclusions:

- a. VELASQUEZ-Basurto is a citizen and national of Mexico.
- b. The complaint correctly reflects VELASQUEZ-Basurto’s name and date of birth.
- c. On October 10, 2013, VELASQUEZ-Basurto was arrested by USBP officers pursuant to Section 212(a)(6)(A)(i) of the Immigration and Nationality Act.
- d. On October 13, 2013, VELASQUEZ-Basurto was removed via Expedited Removal pursuant to Section 235(b)(1)(A)(i) of the Immigration and Nationality Act.
- e. The United States, pursuant to a Warrant of Deportation/Removal, removed VELASQUEZ-Basurto on or about October 13, 2013, through Del Rio, Texas to Mexico. A Form I-296 was executed by immigration officials bearing VELASQUEZ-Basurto’s photograph, signature and fingerprint and the signatures of the immigration officials who witnessed his removal.
- f. On October 29, 2013, VELASQUEZ-Basurto reentered the United States in the area of Douglas, Arizona. The United States, pursuant to a Warrant of Deportation/Removal, removed VELASQUEZ-Basurto on or about, January 16, 2014, via airplane from El Paso, Texas to Mexico City, Mexico. A Form I-205, Warrnat of

Deportation/Removal was executed by immigration officials using VELASQUEZ-Basurto's photograph, signature and fingerprint and the signatures of the immigration officials who witnessed his removal.

g. Pursuant to administrative processing on February 19, 2025, VELASQUEZ-Basurto's fingerprints were found to be a match for the fingerprints on Forms I-205 executed in connection with his two prior removals.

9. A search of ICE databases revealed that VELASQUEZ-Basurto did not seek permission of the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to re-enter as required by 8 U.S.C. § 1360(d).

10. Based on all the foregoing, I respectfully submit that the facts set forth in this Affidavit demonstrate that there is probable cause to conclude that Noel VELASQUEZ-Basurto illegally re-entered the United States after removal in violation of 8 U.S.C. § 1326(a). I therefore respectfully ask that the Court issue a warrant ordering his arrest for such crime.

/s/ Alexander E. Pratt  
Alexander E. Pratt  
Deportation Officer  
Immigration and Customs Enforcement

Sworn To And Subscribed to Me by Telephone  
This 6<sup>th</sup> day of March, 2025.

**Scott W.**  
**Reid**  
Digitally signed  
by Scott W. Reid  
Date: 2025.03.06  
12:28:06 -05'00'

HONORABLE SCOTT W. REID  
UNITED STATES MAGISTRATE JUDGE